

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOHN STAMPER,

Plaintiff,

v.

Case No. 06-C-1291

WISCONSIN CENTRAL, LTD., and
ROY SINDELAR

Defendants.

ORDER

Plaintiff has moved for leave to file a second amended complaint. A prior motion to that effect was denied as unnecessary on the basis that the liberal federal notice pleading standards do not require the level of specificity the plaintiff was attempting to achieve. The defendants oppose the present motion to amend on the same basis.

In the present effort, however, it appears the plaintiff wishes to add new theories of liability to the case that are based on recently discovered facts. Where the prior motion sought, in effect, to add additional pleading detail underlying its allegations, the present motion seeks to add additional assertions of negligence and regulatory violations. As such, the proposed amendment is arguably required to place the defendants on notice of the particular allegations against them, and it serves the purpose of requiring them to admit or deny the proposed complaint's new allegations, giving both sides the opportunity to narrow or clarify the focus of the case. Accordingly, the motion to

amend will be **GRANTED** and the clerk will docket the attached proposed filing as the second amended complaint.

SO ORDERED this 3rd day of June, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge